

SANCTUARY ADVISORY COUNCIL



Dr. Terrie Klinger, Chair
Bob Bohlman, Vice-Chair
Martha Hurd, Secretary

March 18, 2005

Representation

Citizen-At-Large
Conservation
Tourism/Economic Development
Commercial Fishing
Marine Business
Education
Research
Hoh Tribe
Makah Tribe
Quileute Tribe
Quinault Indian Nation
Clallam County
Jefferson County
Grays Harbor County
Washington State:
Dept. of Ecology
Dept. of Fish and Wildlife
Dept. of Natural Resources
Olympic National Park
U.S. Fish and Wildlife Service
NOAA Fisheries
U.S. Coast Guard
U.S. Navy
Northwest Straits Commission

Artwork: David Sones

Ms. Carol Bernthal
Sanctuary Superintendent
Olympic Coast National Marine Sanctuary
115 E. Railroad Avenue, Suite 301
Port Angeles, WA 98362-2925

Dear Ms. Bernthal:

The Advisory Council of the Olympic Coast National Marine Sanctuary respectfully requests that you forward this letter to NOAA during NOAA's scoping process in preparation for an Environmental Impact Statement (EIS) to amend the criteria for acoustic harassment of marine mammals as published in the Federal Register (Federal Register/Vol. 70, No. 7/Tuesday 11 January 2005/Notices).

We request that the following 6 points be considered in development of the EIS:

1. We compliment NOAA on taking this action, and for recognizing that new scientific data can improve marine mammal management.
2. We encourage NOAA to use best available science in formulating and evaluating all alternatives.
3. We encourage the development of a new *hybrid alternative* that would apply the best available data when available and would maintain the status quo when data are insufficient.
4. We recognize that at the current time, data may be insufficient to support the application of a complex regulatory framework, and that new data will be required to fully implement some alternatives.

OLYMPIC COAST NATIONAL MARINE SANCTUARY
115 East Railroad Ave., Suite 301 Port Angeles, WA 98362
360/457-6622 • 360/457-8496 fax
<http://ocnms.nos.noaa.gov/>

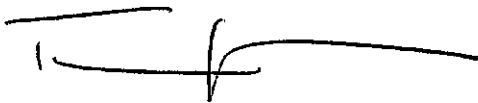
5. We suggest that a new category for especially sensitive species, including beaked whales, be added.
6. We encourage NOAA to indicate more precisely the data gaps that remain in implementation of the full matrix, and explain more fully the use of proxies where they are applied.

The advisory council consists of twenty-one (21) members from non-governmental interests, governmental organizations and four Indian tribes. The advisory council has fifteen (15) voting members and six (6) federal agencies that are non voting members.

The advisory council is committed to active support of the national marine sanctuary system in their mission to preserve and protect the unique resources found within the established national marine sanctuaries. The OCNMS advisory council is supportive of education, resource protection and research activities and commercial endeavors that are compatible with the primary objectives as stated above. The advisory council also acknowledges that policy actions must consider the impact on and uphold the treaty-protected rights of Indian Tribes.

The council is an advisory body. The opinions and findings of this publication do not necessarily reflect the position of the Olympic Coast National Marine Sanctuary and the National Oceanic and Atmospheric Administration.

Respectfully,



Terrie Klinger, Ph.D.
Chair, Olympic Coast National Marine Sanctuary Advisory Council